

Amendment No. 1 to SB0022

Gardenhire
Signature of Sponsor

AMEND Senate Bill No. 22*

House Bill No. 415

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 1, is amended by adding the following as a new part:

38-1-801.

This part is known and may be cited as the "Sexual Assault Response Team Act."

38-1-802.

As used in this part:

(1) "Adult" means a person who is eighteen (18) years of age or older or otherwise emancipated;

(2) "Sexual assault" means a criminal offense under title 39, chapter 13, part 5, involving unlawful sexual penetration or unwanted sexual contact;

(3) "Sexual assault response team (SART)" means a multidisciplinary team convened to strengthen and improve the collaborative response and enhance the community response, safety, and judicial outcome for the sexual assault survivor;

(4) "Sexual contact" means the same as defined in § 39-13-501; and

(5) "Sexual penetration" means the same as defined in § 39-13-501.

38-1-803.

(a) By January 1, 2024, each local law enforcement agency must begin collaboration between existing law enforcement agency resources and available

community resources as an adult sexual assault response team (SART), which will assist in identifying gaps in service and improving response systems for sexual assault involving adult victims that occur within the agency's jurisdiction. A team may meet, in person or by telephone or virtual means, periodically as needed.

(b) A team may include members who respond to and work with victims and have expertise in a variety of disciplines relevant to sexual assault response. A SART may include, but is not limited to:

- (1) Victim advocates;
- (2) Law enforcement;
- (3) Criminal prosecutors;
- (4) Healthcare services providers; and
- (5) Mental health services providers.

(c)

(1) Except by court order or as provided in subdivision (c)(2), communications occurring at a SART meeting are confidential and not subject to title 10, chapter 7.

(2) This subsection (c) does not prevent the district attorney general and counsel for a defendant from providing to each other in a pending criminal case, where the constitutional rights of the defendant require it, information which otherwise would be held confidential under this subsection (c).

SECTION 2. This act takes effect upon becoming law, the public welfare requiring it.